

Remarks

Claims 1-4 and 6-15 are pending. No amendments are presented with this Reponse. Claims 1-4 and 6-15 remain pending.

Applicants respectfully request reconsideration and allowance of the application in view of the following remarks.

Election/Restrictions

According to the Office Action, restriction among Group I (claims 1-4 and 6-12) and Group II (claims 13-15) is required.

Applicants hereby elect Group I, claims 1-4 and 6-12, with traverse.

According to the Office Action:

The inventions are distinct, each from the other because of the following reasons: ... In the instant case, the product as claimed can be made by another and materially different process such as one applies a metal colloid and inorganic particles after molding and reheats the surface to incorporate the materials into the surface of the molded article. (Underlining added for emphasis).

Applicants respectfully disagree with this reasoning because the product claims 13-15 require that the product be made by the process of claim 1, which in turn requires that “prior to molding at least one component of the precursor is treated with a metal colloid and inorganic particles are added to the precursor” (underlining added for emphasis). In other words, making a plastic body by applying a metal colloid and inorganic particles after molding and reheating the surface to incorporate the materials as proposed by the Office Action instead of, according to claim 1, treating a precursor with a metal colloid and adding inorganic particles to the precursor prior to molding, is not a method of making a plastic body according to claims 13-15. Therefore, the Office Action’s reasoning fails to support the restriction among groups I and II and, therefore, such restriction is not proper.

In addition, it is respectfully submitted that there is no serious burden to examine the claims in Groups I and II together. The product claims of Group II are required to be

made by the process of claim 1 in Group I, so the subject matter of at least process claim 1 will necessarily need to be searched to examine the product claims of Group II. Since Applicants elect the claims in Group I for examination, the subject matter of claim 1 will necessarily need to be presently searched and, therefore, such restriction is additionally not proper.

Accordingly, Applicants respectfully request that the restriction among groups I and II be withdrawn.

Certified Copy of Priority Document

According to paragraph twelve (12) of the Office Action Summary, the certified copy of the priority document has not been received.

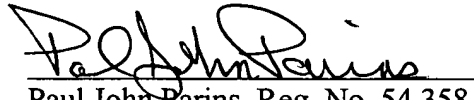
In the immediately prior Response mailed on June 4, 2004, Applicants enclosed a certified copy of the priority document German Application DE 19936 059.6.

Please acknowledge receipt of such priority document in the next Office Action.

Conclusion

In view of the above election and remarks, it is respectfully submitted that the foregoing is fully responsive to the outstanding Restriction Requirement. In the event that a phone conference between the Examiner and the Applicant's undersigned attorney would help resolve any issues in the application, the Examiner is invited to contact said attorney at (651) 275-9831.

Dated: October 1, 2004

Respectfully Submitted,
By: 
Paul John Parins, Reg. No. 54,358
Customer Number 33072
Phone: 651-275-9831
Facsimile: 651-351-2954